IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 36703 of 2007(T)

PETITIONER:

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1. K.V.SATHEESAN, SECRETARY,
   PILICODE GRAMA PANCHAYATH,
   PILICODE, KASARAGOD DISTRICT.

2. V.S.RAJESH, SECRETARY,
   EDAVANAKKAD GRAMA PANCHAYATH,
   EDAVANAKKAD, ERNAKULAM DISTRICT.

BY ADV. SRI.M.SASINDRAN

RESPONDENTS:

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1. THE DIRECTOR OF PANCHAYATHS,
   THIRUVANANTHAPURAM.

2. STATE OF KERALA, REPRESENTED BY
   SECRETARY TO GOVERNMENT,
   LOCAL SELF GOVERNMENT DEPARTMENT,
   SECRETARIAT, THIRUVANANTHAPURAM.

3. SIVANKUTTY O.V.,
   JUNIOR SUPERINTENDENT,
   PERFORMANCE AUDIT UNIT,
   BALUSSERY, KOZHIKODE.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

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W.P.(C)NO. 36703 OF 2007

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Dated this the 12th day of December 2007

JUDGMENT

The petitioners are working as Secretaries in the Pillicode and Edavanakkad Grama Panchayats. They were appointed pursuant to advice by the PSC. The promotion post as per the said rules is that of a Junior Superintendent. According to the petitioners, the third respondent was promoted to the post of a Secretary subsequent to the petitioners' entry into service. The period of probation, insofar as the petitioners are concerned, is two years of duty within a period of three years. On a vacancy arising within the said period of two years, apparently, on the premise that the third respondent has completed his probation, he was promoted superseding the petitioners, they contend. Petitioners have sought for a rectification of the anomaly under Exts.P5 and P6 representations submitted before the Director of Panchayats.

2. Having heard the learned counsel for the petitioners and the learned government pleader, the writ petition is disposed of directing the first respondent to look into Exts.P5 and P6, and take a decision, after hearing the petitioners and the third respondent, within a period of six weeks from the date of receipt of a copy of this judgment.

V.GIRI, JUDGE

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